ORIGINAL

FORM 5

UNITED STATES COURT OF INTERNATIONAL TRADE
INFORMATION STATEMENT

THIS ... BE SI... FILED WITH THE COURT

(Place an "X" in applicable ☐)

09-00523

PLAINTIFF:	**PRECEDENCE**
FRANCO MANUFACTURING CO., INC. **ATTORNEY** *(Name, Address, Telephone)* Curtis Knauss, Esq. SANDLER, TRAVIS & ROSENBERG, PA 551 FIFTH AVENUE, SUITE 1100 NEW YORK, NY 10176 TEL: 212/883-1300	If the action is to be given precedence under Rule 3(g), indicate he applicable paragraph of that section: ☐ (1) ☐ (3) ☐ (5) ☐ (2) ☐ (4) ☐ (6)

CONSTITUTIONAL ISSUE – 28 U.S.C. § 255

If this action raises an issue of the constitutionality of an Act of Congress, a proclamation of the President or an Executive order, check this box: ☐

JURISDICTION

28 U.S.C. § 1581(a) – Tariff Act of 1930, Section 515 - 19 U.S.C. § 1515

☐ Appraisal ☒ Classification ☐ Charges or Exactions ☐ Vessel Repairs
☐ Exclusion ☐ Liquidation ☐ Drawback
☐ Refusal to Reliquidate ☐ Rate of Duty ☐ Redelivery

28 U.S.C. § 1581(b) – Tariff Act of 1930, Section 516 - 19 U.S.C. § 1516

☐ Appraisal ☐ Classification ☐ Rate of Duty

28 U.S.C. § 1581(c) – Tariff Act of 1930, Section 516A(a) (1), (a) (2) or (a) (3) - 19 U.S.C. § 1516a (Provide a brief description of the administrative determination you are contesting, including the relevant **Federal Register** citation(s) and the product(s) involved in the determination. For Section 516(A) (a) (1) or (a) (2), cite the specific subparagraph and clause of the section.)

Subparagraph and Clause _____ Agency _____

Federal Register Cite(s) _____

Product(s)

28 U.S.C. § 1581(d) – Trade act of 1974 - 19 U.S.C. §§ 2273, 2341, 2401b

☐ U.S. Secretary of Labor ☐ U.S. Secretary of Commerce ☐ U.S. Secretary of Agriculture

28 U.S.C. § 1581(e) – Trade Agreements Act of 1979, Section 305(b)(1) - 19 U.S.C. § 2515

(Provide a brief statement of the final determination to be reviewed.)

28 U.S.C. § 1581(f) – Trade act of 1930, Section 777(c)(2) - 19 U.S.C. § 1677f (c) (2)

Agency: ☐ U.S. International Trade Commission ☐ Administering Authority

28 U.S.C. § 1581(g) – Trade act of 1930, Section 641 - 19 U.S.C. § 1641 – or Section 499 – 19 U.S.C. § 1499

☐ Section 641(b)(2) ☐ Section 641(b)(3) ☐ Section 641(c)(1) ☐ Section 641(b)(5)
☐ Section 641(c)(2) ☐ Section 641(d)(2)(B) ☐ Section 499(b)

(Continued on reverse side)

FORM 5

JURISDICTION
(Continued)

28 U.S.C. § 1581(h) – Ruling relating to:

☐ Classification ☐ Valuation ☐ Restricted Merchandise
☐ Rate of Duty ☐ Marking ☐ Entry Requirements
☐ Drawbacks ☐ Vessel Repairs ☐ Others _____

28 U.S.C. § 1581(i) *(Cite any applicable statute and provide a brief statement describing jurisdictional basis.)*

28 U.S.C. § 1582 – Actions Commenced by the United States

☐ (1) Recover civil penalty under Tariff Act of 1930:
☐ Sec. 592 ☐ Sec. 593A ☐ 641(b)(6)
☐ Sec. 641(d)(2)(A) ☐ Sec. 704(i)(2) ☐ Sec. 734(i)(2)

☐ (2) Recover upon a bond

☐ (3) Recover customs duties

RELATED CASE(S)

To your knowledge, does this action involve a common question of law or fact with another action(s) previously decided or now pending?

	PLAINTIFF	COURT NUMBER	JUDGE
☐ Decided:			
☐ Pending:			

(Attached additional sheets, if necessary.)

(As amended, eff. Jan. 1, 1985; Jan. 25, 2000; eff. May 1, 2000; May 25, 2004, eff. Sept. 1, 2004; Nov. 29, 2005, eff. Jan. 1, 2006, eff. Jan. 1, 2007.)

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